

REMARKS

This Response is being submitted in response to the Office Action mailed September 10, 2004. Applicant is required to elect one of the following inventions for further prosecution on the merits:

Group I - Claims 1-4 and 11, drawn to amino acids and derivatives.

Group II - Claims 5-10 and 12, drawn to a method of preparing amino acids and derivatives.

Applicant hereby elects Group II - Claims 5-10 and 12, for prosecution on the merits in the present application.

Amendments

Claims 1-4 and 11 have been canceled.

Claims 5, 6, 9 and 10 have been amended. Support for the amended claims can be found in the specification and original claims.

Claim 5 has been amended in the following ways:

- (i) “mono-, di- and tri-substituted aryl” was deleted from the definition of R₂ and R₃ which represent mere deletion of an alternative;
- (ii) each occurrence of “substituents of (b) and (c)” was replaced with “substituents of R₁, R₂ and R₃” which represents a clarifying amendment;
- (iii) definitions of R₂ and R₃ were amended to include formation of a cyclic or heterocyclic ring. Support for this amendment may be found, inter alia, at page 12, line 18, to page 15, line 6, and claims 7 and 8 of the application as filed;
- (iv) in part (i) of the method, “/chiral auxiliary” was deleted which represents a clarifying amendment;
- (v) in part (i) of the method, a formula and definition of the amino acid component was added, and support for this amendment may be found, inter alia, at page 15, lines 16 and 17, and page 16, lines 16 to 22, of the application as filed;

(vi) in part (i) of the method, "at least one of an aldehyde and a ketone" was replaced by "a compound of the formula R³-CO-R²", and support for which may be found, inter alia, at page 15, lines 16 and 17, of the application as filed;

(vii) in part (ii) of the method, "aryl amine/hydrolysis, including catalytic hydrogenation" was replaced by "catalytic hydrogenation conditions" and "amide cleavage/hydrolysis" was replaced by "amide cleavage conditions" which represent clarifying amendments, as supported by the disclosure at page 17, lines 1 to 7, of the application as filed.

Claim 6 has been amended by insertion of "of R₄ or R₅" between "group" and "is". This represents a clarifying amendment, as supported by the disclosure at page 12, lines 15 to 17, of the application as filed.

Claim 9 has been amended in the following ways:

(i) "isocyanide" was replaced by "cyclohexenyl, tert-butyl, cyclohexyl, phenyl and 2-(tert-butyldimethylsilyloxy)methyl)phenyl isocyanides". The basis for this amendment may be found, inter alia, at page 15, lines 7 to 13, and page 17, line 15 to page 22, line 1 of the application as filed;

(ii) "ethanol or isopropanol" were inserted after "methanol". The basis for which may be found, inter alia, at page 16, line 11, of the application as filed; and

(iii) "employs" was replaced by "conditions employ". This represents a clarifying amendment.

Claim 10 has been amended by replacement of
", where step (ii) comprises that the aryl amine/hydrolysis and the amide cleavage/hydrolysis are followed by an amine protection reaction to place at least one amine protecting group on the N of Formula 1"

by

"further comprising the step of attaching at least one amine protecting group on the amine of Formula 1".

This represents a clarifying amendment.

Fees

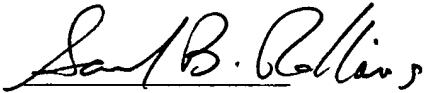
This complete response is being filed within 2 months of the mailing of the Office Action on September 10, 2004. Applicants have included with this Response a Petition for Extension of Time of 1-month under 37 C.F.R. § 1.136(a).

Conclusion

In conclusion, Applicant requests entry of the amendments, consideration of the Remarks, and passage of the application to issuance.

Respectfully submitted,

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